

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL FIORITO,
Petitioner,
v.
WARDEN,
Respondent.


No. 2:23-cv-3054 WBS AC P

ORDER

Petitioner is a federal prisoner proceeding pro se with a habeas corpus petition filed pursuant to 28 U.S.C. § 2241. On February 9, 2024, respondent filed a motion to dismiss the petition. ECF No. 7. Petitioner has not responded to the motion.

Accordingly, IT IS HEREBY ORDERED that within twenty-one days after the filing date of this order, petitioner shall file and serve an opposition or statement of opposition to the pending motion to dismiss. Failure to comply with this order will result in a recommendation that this action be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

DATED: March 18, 2024


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE